

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

HENRY SATROWSKY,)
Plaintiff,)
)
v.) CIVIL ACTION No. 04-10827-JLT
)
BOSTON & MAINE)
RAILROAD COMPANY AND)
SPRINGFIELD TERMINAL)
RAILWAY COMPANY)
Defendants)

JOINT SCHEDULING PLAN
PURSUANT TO FED. R. CIV. P. 26 (f) AND L.R. 16.3 (B)

This case is brought pursuant to Acts of Congress known as the Federal Employers' Liability Act (FELA), 45 U.S.C., Sec. 51 et seq. Plaintiff alleges injuries and damages giving rise to this cause of action are a result of the Plaintiff being exposed to cumulative/repetitive stress/trauma to his feet and lower extremities. Throughout the course and scope of his employment with Defendant as a carman, Plaintiff was required to lift heavy objects, squat, stoop, crouch, climb, bend, twist, stand and walk on uneven surfaces, as well as maintain other awkward positions, etc. Specifically, Plaintiff has been diagnosed with occupational injuries to his feet and lower extremities as a result of Defendant's failure to provide Plaintiff with a safe work environment.

The Defendant denies Plaintiff's claims and further denies that its alleged negligence was the actual or proximate cause of Plaintiff's injuries.

Joint Discovery Plan

The attorneys for the parties have reached an agreement for a proposed Pretrial schedule as follows:

- (a) All fact discovery to be completed by November 30, 2006;
- (b) All expert disclosures for Plaintiff by January 31, 2007;
- (c) All expert disclosures for Defendants by February 28, 2007;
- (d) Plaintiff's expert discovery by April 28, 2007;
- (e) Defendants expert discovery by May 31, 2007;
- (f) Motions for Summary Judgment to be served and filed by June 29, 2007;
- (g) Opposition to Motion for Summary Judgment served by July 31, 2007; and
- (h) Reply to opposition to Motion for Summary Judgment filed and served by April 15, 2007.

James J. Walsh, Esquire, counsel for the Defendant, Thomas J. Joyce, II, Esquire, counsel for Plaintiff, and Michael McDevitt, Esquire, counsel for Plaintiff, have conferred concerning the above discovery schedule and expenses.

Counsel for the parties have discussed informally exchanging discovery to reduce the cost of litigation to our clients and agreed to conform to the obligation to limit discovery set forth in F.R.C.P. 26(b). Discovery is expected to include all relevant information including but not limited to Plaintiff's work and medical history as well as Defendant's safety, medical and mechanical departments regarding rules, regulations, policies and procedures applicable to Plaintiff's work and job assignment. The parties and their respective counsel have not conferred regarding settlement.

Respectfully Submitted,
Defendants,
Boston & Maine Railway Company,
Springfield Terminal Railway Company,
By Their Attorney,

/s/ James J. Walsh
James J. Walsh, Esq.
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Plaintiff,
Henry Satrowsky,
By his Attorneys,

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/s/ Michael J. McDevitt
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Local Counsel for Plaintiff

Date: July 31, 2006